



TO: John McDonough, City Manager

FROM: Garrin M. Coleman, P.E., Public Works Director

DATE: March 10, 2017, for Submission onto the Consent Agenda of the March 21, 2017 City Council Meeting

ITEM: Acceptance of a Temporary Construction Easement

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***Recommendation:***

Staff recommends that the Mayor and City Council accept a Temporary Construction Easement on that tract or parcel of land lying and located in Land Lot 33 of the 17<sup>th</sup> District, Fulton County, Georgia. The property, as shown in the attached exhibit is owned by Kathryn Di Salvo and Elizabeth Goll, and is located at 715 Mabry Road, Sandy Springs, Georgia.

***Background:***

The acquisition of a Temporary Construction Easement from the Di Salvo/Goll property is necessary in order to construct the Mabry Road Drainage Improvement Project along Mabry Road. The owners have agreed to donate the necessary land rights needed to construct the proposed project.

***Discussion:***

N/A

***Alternatives:***

N/A

***Financial Impact:***

The land rights required for the project were donated to the City by the owners.

***Attachments:***

- I. Exhibits
  - ) Aerial and GIS Maps
  - ) Executed Temporary Easement Document with Attachments
- II. Resolution

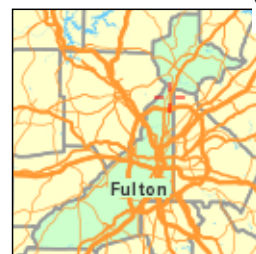




## Fulton County Assessor

Parcel: 17 003300040068 Acres: 0.2961

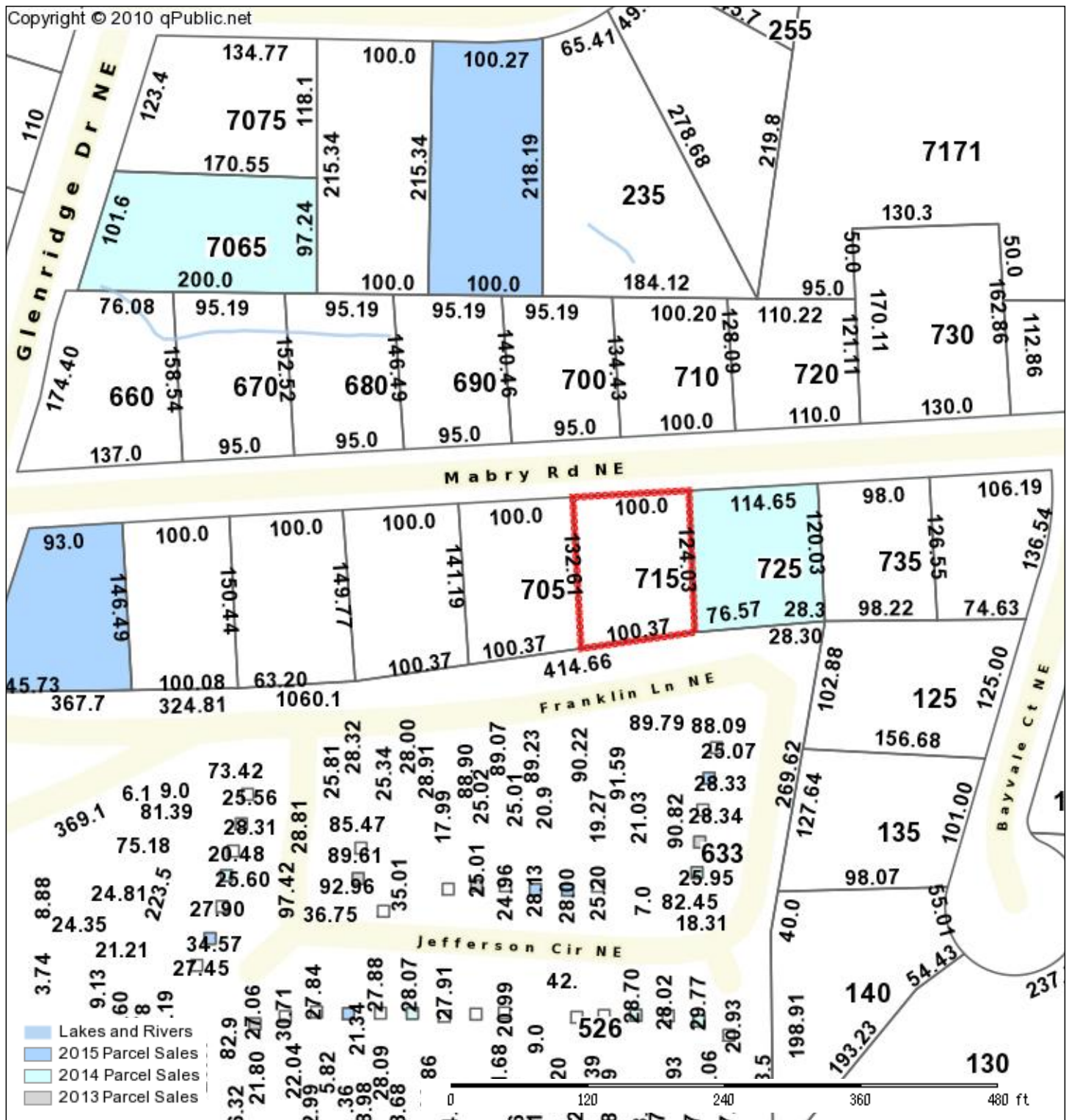
Name:	GOLL ELIZABETH &	Land Value:	95300
Site:	715 MABRY RD	Building Value:	192400
Sale:		Misc Value:	
Mail:	7295 GALTS FERRY RD ACWORTH, GA 30102	Total Value:	287700



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Date printed: 03/02/17 : 16:45:33

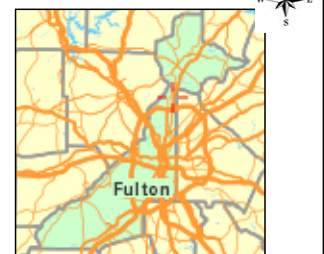




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Date printed: 03/02/17 : 16:44:54

## TEMPORARY CONSTRUCTION EASEMENT

STATE OF GEORGIA  
FULTON COUNTY

THIS CONVEYANCE made and executed the 27 day of February, 2017.

WHEREAS, the City of Sandy Springs in the County of Fulton, Georgia desires to construct a Stormwater Drainage Project along Mabry Road, known as the Mabry Road Stormwater Drainage Project.


NOW, THEREFORE, for value received, the Undersigned do(es) hereby grant to the City of Sandy Springs, GA, ( the "City") the right to execute certain construction over and upon my(our) land abutting on and adjacent to the right of way in such manner as the City may deem proper to support or accommodate the improvements of said project, including the right to slope the adjacent ground to reconstruct curbing and guttering and reconnect any sanitary sewer laterals within the easement areas that will be temporarily disconnected during the project. Said easement areas shown and are more particularly described on the attached plat labeled Exhibit "A". Any slopes will remain in place and the City will cease to maintain the slopes upon completion and final acceptance of the project by the City of Sandy Springs Public Works Department. The Undersigned also agrees to Grant the City the right to re-slope and reconstruct any driveways that will be materially affected by the project, as shown in the easement areas more particularly described on the attached plat labeled Exhibit "A".

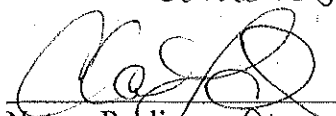
These easements become effective at the beginning of construction of the project and will expire upon completion and final acceptance of said project by the City of Sandy Springs Public Works Department.


I(we) hereby warrant that I(we) have the right to sell and/or convey said land and bind, myself (ourselves), my(our) heirs, executors and administrators forever and defend by virtue of these presents.

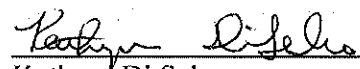
In Witnesseth whereof, I(we) have hereunto set our hands and seal the day above written.

Signed, Sealed and Delivered this 27 day of February, 2017 in the presence of:

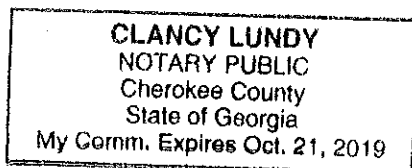
  
Witness Daniela Joulon

  
Notary Public Clancy Lundy

  
Elizabeth Goll (L.S.)  
Elizabeth Goll

  
Kathryn Di Salvo (L.S.)  
Kathryn Di Salvo

{NOTARY SEAL}





STATE OF GEORGIA  
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT A TEMPORARY CONSTRUCTION EASEMENT  
ON PROPERTY LOCATED IN LAND LOT 33 OF THE 17<sup>th</sup> DISTRICT,  
CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA**

**WHEREAS**, it is necessary, from time to time, to establish policies, procedures and guidelines consistent with the administration of a municipal government consistent with the US Constitution, Federal Statutes, alignment with Federal, Georgia's State Constitution, and the Charter for the City of Sandy Springs, and

**WHEREAS**, the City Manager directed the Department of Public Works to develop standard policies for recurring matters, to establish appropriate internal controls and legal compliance, and to provide for an efficient and effective means to serve constituents; and

**WHEREAS**, the Department of Public Works, in response to the guidance provided by the City Manager, has reviewed and approves the acceptance of a Temporary Construction Easement by the City of Sandy Springs for property located at 715 Mabry Road, from Kathryn Di Salvo and Elizabeth Goll, in Land Lot 33 of the 17<sup>th</sup> District, Fulton County, City of Sandy Springs, Georgia

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA**

To facilitate the construction of the Mabry Road Drainage Improvements Project on the subject property, the City approves the acceptance of the Temporary Construction Easement on property located in Land Lot 33 of the 17<sup>th</sup> District, Fulton County, City of Sandy Springs, Georgia.

**RESOLVED** this 21<sup>st</sup> day of March, 2017.

**APPROVED:**

\_\_\_\_\_  
Russell K. Paul, Mayor

Attest:

\_\_\_\_\_  
Michael Casey, City Clerk  
(Seal)